

**Standard 4-5** The student will demonstrate an understanding of the westward movement and its impact on the institution of slavery.

**4-5.7:** Explain how specific legislation and events affected the institution of slavery in the territories, including the Northwest Ordinance of 1787, the Missouri Compromise, the annexation of Texas, the Compromise of 1850, the Kansas-Nebraska Act, and the *Dred Scott* decision.

**Taxonomy Level:** B 2 Understand / Conceptual Knowledge

**Previous /Future Knowledge:**

This is the first time that the specific legislation and events which affected the institution of slavery in the territories, including the Northwest Ordinance of 1787, the Missouri Compromise, the annexation of Texas, the Compromise of 1850, the Kansas-Nebraska Act, and the *Dred Scott* decision are taught.

In 8th grade, students will explain the impact of key events leading to South Carolina's secession (8-3.2).

In United States history, students will explain how the political events and issues that divided the nation led to civil war, including the compromises reached to maintain the balance of free and slave states, the successes and failures of the abolitionist movement, the conflicting views on states' rights and federal authority, the emergence of the Republican Party and its win in 1860, and the formation of the Confederate States of America (USHC-4.2).

**It is essential for students to know:**

As Americans moved west, the United States added more territories. This raised the issue of whether or not these new states would be slave states or free states. The national government passed legislation that affected the institution of slavery in the territories.

The **Northwest Ordinance of 1787** provided the means by which new states would be created out of the western lands and then admitted into the Union. It was passed by the government under the Articles of Confederation shortly after the American Revolution. Once the population of a territory reached a certain number, the area could apply for statehood. It also provided that the states made out of the Northwest Territory (the present states of Indiana, Illinois, Ohio, Michigan and Wisconsin) could not have slavery. This was the first time that the national government had taken a stand against the spread of slavery that was motivated by the ideas of the Declaration of Independence that "all men are created equal".

By the time of the **Missouri Compromise** in 1820 there was more controversy over slavery. The cotton gin had been invented and southern states were even more dependent on slave labor than they had been at the time of the American Revolution. Northern states were gradually emancipating their slaves. Some northerners wanted slaves in Missouri to be gradually emancipated. Southern states worried that they would lose power in the Congress if there were more free states than there were slave states. Already representatives of the free northern states outnumbered the representatives of the slave states in the House of Representatives because of population increase due to immigration. The compromise admitted Missouri as a slave state and Maine as a free state to keep the number of states even. The Compromise tried to avoid future controversy by prohibiting slavery in the Louisiana Territory, north of the 36 30' latitude line. The South was even more determined to hold on to equal representation in the Senate.

The **annexation of Texas** was delayed for nine years because the Republic of Texas wanted to be admitted to the United States as a slave state. Texas was finally annexed as a slave state in 1845 and the resulting Mexican War led to more controversy over slavery. Some northerners wanted Congress to declare that all parts of the territory that was taken from Mexico (the Mexican cession) would be 'free

soil.’ That is, that slavery would be prohibited in this region. Southerners wanted the area to be open to slavery.

The **Compromise of 1850** and the Fugitive Slave Act was the result of California applying to be admitted to the union. After the discovery of gold in 1849, people flocked to California to get rich quick. They did not want to compete with slave owners who would be able to use their slaves to mine for gold. Because Californians wanted their state to be ‘free soil’, they applied for admission as a free state. This would upset the balance of slave and free states. The Compromise allowed California to be a free state but also outlawed the slave trade in Washington D.C. It provided that the rest of the Mexican Cession would decide whether or not the residents wanted to be a slave or free states through the vote, ‘popular sovereignty.’ Southerners also got a new Fugitive Slave Law that gave them more opportunity to catch and return to the South slaves that had escaped. This last provision caused much controversy.

The **Kansas-Nebraska Act** was also the result of westward expansion. The Kansas Territory was in the northern part of the Louisiana Territory so according to the Missouri Compromise it could not be a slave state. However, some politicians wanted to build a railroad across the country through Kansas and they needed to get southern support. The Kansas-Nebraska Act repealed the 36 30’ line of the **Missouri Compromise**. It allowed people in these territories to decide for themselves whether or not to allow slavery within their borders through ‘popular sovereignty.’ In order to affect that vote, northern abolitionists and southern slave owners moved into the Kansas Territory. Soon their fighting led people to call the area “Bleeding Kansas.”

The **Dred Scott** decision was an attempt by the Supreme Court to end the controversy over slave or free states. Dred Scott was a slave whose master had taken him into free territory. With the help of northern abolitionists, Scott sued his master for his freedom claiming ‘once free, always free.’ The Supreme Court decided that African Americans were not citizens of the United States, even if they had been born in the U.S., and therefore they had no right to sue in the Supreme Court. In fact, the court said they had no rights at all. Furthermore the court went on to rule that Scott was property and that the Constitution of the United States protects the owner of property from having that property taken away by the government. The court said that the Missouri Compromise was unconstitutional and that Congress could not limit the expansion of slavery into the territories because that would deny the slave owner the right to take his property anywhere that he wanted to. The Dred Scott decision did not end the controversy over slavery. Instead northerners worried that the court would deny them the right to outlaw slavery in their states and would end the idea of popular sovereignty, the right of the people of the territory to decide whether they wanted to be slave or free. This would limit democracy.

**It is not essential for students to know:**

Students do not need to focus on all of the information in each document other than what is listed above.

**Assessment guidelines:**

Appropriate assessments would require students to **explain** the effects of specific legislation and events on slavery in the territories. Students should be able to **summarize** the impact of westward expansion on the controversy over slavery as making the controversy worse because of the conflict over whether these new states would be slave or free. They should be able to **identify examples** of this controversy such as the Northwest Ordinance of 1787, the Missouri Compromise, the Annexation of Texas, The Compromise of 1850, The Kansas-Nebraska Act, and the *Dred Scott* decision.